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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,370	12/11/2000	Jean-Pierre Martiniere	324-137	6471

7590

09/24/2004

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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT PAPER NUMBER

2154

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/719,370

Applicant(s)

MARTINIERE, JEAN-PIERRE

Examiner

Ashok B. Patel

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2004, 24 June 2004, July 27, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. Claims 12-34 are subject to examination.

#### ***Response to Arguments***

2. Applicant's arguments filed May 25, 2004, June 24, 2004 and July 27, 2004 have been fully considered but they are not persuasive for the following reasons:

- a. The Applicant's argument that "In rejecting independent claim 12, the Office Action repeats Applicant's claim language and then refers to numerous portions of Humpleman et al., but never explains the relationship between the operation of the Humpleman et al. browser-based command and control home network to the steps set forth in Applicant's independent claim 12. In other words, the Office Action never indicates what structures of Humpleman et al. are allegedly analogous to the plural primary equipment units and the manager equipment unit of claim 12." is not only completely illogical, but also irrational since it raises a question: Why this examiner pointed out columns and lines are there at where they are in the reference?

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- b. The responses to arguments provided below are intended to merely enhance the understanding of the teachings of the reference Humpleman, and by no means the responses are intended to change the ground of rejection.

#### **Referring to claim 12,**

The reference Humpleman teaches a method of functionally linking plural primary equipment units and a manager equipment unit likely to communicate with all the primary equipment units (Fig. 5A, "In such an embodiment, it could be considered that the physical device fetches a GUI from itself. However, in other embodiments the home

Art Unit: 2154

network interconnects separate physical devices, wherein for example, a first device fetches a GUI from a second device, to permit user interaction with the GUI to control the second device.”, col.5, lines 18-23, col.13, lines 52-60)., comprising:

a preliminary step of storing presentations of equipment units in memory in the respective units or in the manager equipment unit, the presentation of each equipment unit including at least one link to a function of the equipment unit (col.6, lines 61 thru col.7, line 20, The reference teaches” As previously mentioned, each home device is associated with one or more Hypertext Markup Language (HTML) files. The HTML files define the control and command functions associated with a particular home device. Each HTML file may also contain embedded references to other HTML files. The browser based DTV 102 (acting as a client), receives and interprets the HTML files associated with the home devices (acting as servers) and graphically displays the respective control and command information on its viewable display.” Thus, a preliminary step of storing presentations of equipment units in memory in the respective units or in the manager equipment unit, the presentation of each equipment unit including at least one link to a function of the equipment unit );

recovering or selecting in said manager equipment unit the presentation of a given primary equipment unit (Fig.5A and Fig.12A, The reference teaches “A client-server relationship exists among the attached devices, with the DTV 102 typically behaving as the client and home devices DVCR 110, DVD 108, DSS-NIU 104 and security system 120 behaving as servers.”(col.6, lines 57-60)( Thus, recovering or

Art Unit: 2154

selecting in said manager equipment unit the presentation of a given primary equipment unit); and

linking said given primary equipment unit to said manager equipment unit and said already-linked other primary equipment units by composing a home page at said manager equipment unit (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13), the home page being composed by using at least (a) the presentation of said manager equipment unit (For example, DTV, element 406 in Fig. 5A) (b) the presentations of the other primary equipment units already linked (For example, DVD and DVCR in Fig. 5A) , and (c) the presentation of said given primary equipment unit ( For example Dads TV in Fig.11) (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13, col. 13, lines 15-67 and col.14, lines 1-25, The reference clearly depicts the claimed elements.)

**Referring to claim 13,**

In response to Applicant's argument that "In addition, claim 13 appears to distinguish over Humpleman et al. by requiring downloading a home page from the manager equipment unit into any the primary equipment units to form a home page for all the equipment units in order that the primary equipment units can carry out the functions of the other primary equipment units and the manager equipment unit. Attorney for applicant is unable to find any disclosure of the foregoing limitations in the portions of the Humpleman et al. referred to in the third full paragraph on page 3 of the Office Action, i.e., the portion of the Office Action directed to claim 13.", the reference teaches a method according to claim 12, including a step of downloading the home page from said manager equipment unit into any of said primary equipment units to form a home

Art Unit: 2154

page for all the equipment units in order that said primary equipment units can carry out the functions of the other primary equipment units and the manager equipment unit. (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13,, "In such an embodiment, it could be considered that the physical device fetches a GUI from itself. However, in other embodiments the home network interconnects separate physical devices, wherein for example, a first device fetches a GUI from a second device, to permit user interaction with the GUI to control the second device.", col.5, lines 18-23, col.13, lines 52-60, col.14, lines 27-36)

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 12-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al. (hereinafter Humpleman)(US 6, 288, 716).

#### **Referring to claim 12,**

The reference Humpleman teaches a method of functionally linking plural primary equipment units and a manager equipment unit likely to communicate with all the primary equipment units (Fig. 5A, "In such an embodiment, it could be considered that the physical device fetches a GUI from itself. However, in other embodiments the home

Art Unit: 2154

network interconnects separate physical devices, wherein for example, a first device fetches a GUI from a second device, to permit user interaction with the GUI to control the second device.”, col.5, lines 18-23, col.13, lines 52-60)., comprising:

a preliminary step of storing presentations of equipment units in memory in the respective units or in the manager equipment unit, the presentation of each equipment unit including at least one link to a function of the equipment unit (col.6, lines 61 thru col.7, line 20, The reference teaches” As previously mentioned, each home device is associated with one or more Hypertext Markup Language (HTML) files. The HTML files define the control and command functions associated with a particular home device. Each HTML file may also contain embedded references to other HTML files. The browser based DTV 102 (acting as a client), receives and interprets the HTML files associated with the home devices (acting as servers) and graphically displays the respective control and command information on its viewable display.” Thus, a preliminary step of storing presentations of equipment units in memory in the respective units or in the manager equipment unit, the presentation of each equipment unit including at least one link to a function of the equipment unit );

recovering or selecting in said manager equipment unit the presentation of a given primary equipment unit (Fig.5A and Fig.12A, The reference teaches “A client-server relationship exists among the attached devices, with the DTV 102 typically behaving as the client and home devices DVCR 110, DVD 108, DSS-NIU 104 and security system 120 behaving as servers.”(col.6, lines 57-60)( Thus, recovering or

Art Unit: 2154

selecting in said manager equipment unit the presentation of a given primary equipment unit); and

linking said given primary equipment unit to said manager equipment unit and said already-linked other primary equipment units by composing a home page at said manager equipment unit (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13), the home page being composed by using at least (a) the presentation of said manager equipment unit (For example, DTV, element 406 in Fig. 5A) (b) the presentations of the other primary equipment units already linked (For example, DVD and DVCR in Fig. 5A) , and (c) the presentation of said given primary equipment unit ( For example Dads TV in Fig.11) (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13, col. 13, lines 15-67 and col.14, lines 1-25,

The reference clearly depicts the claimed elements.)

**Referring to claim 13,**

The reference teaches a method according to claim 12, including a step of downloading the home page from said manager equipment unit into any of said primary equipment units to form a home page for all the equipment units in order that said primary

equipment units can carry out the functions of the other primary equipment units and the manager equipment unit. (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13,, "In such an embodiment, it could be considered that the physical device fetches a GUI from itself.

However, in other embodiments the home network interconnects separate physical devices, wherein for example, a first device fetches a GUI from a second device, to permit user interaction with the GUI to control the second device.", col.5, lines 18-23, col.13, lines 52-60, col.14, lines 27-36)



Art Unit: 2154

**Referring to claim 14,**

A method according to claim 12, further including displaying each presentation in several display modes, and displaying said home page in each equipment unit in at least one of the display modes used in said each equipment unit.

The reference Humpleman teaches the method. (col.13, lines 23-67, col. 14, lines 1-12, Figs. 6 and 7, , Fig.8, Fig. 10).

**Referring to claim 15,**

A method according to claim 12, wherein the presentation of one of said equipment units in said home page includes a departure anchor of a hyperlink toward a page of functions read in said one equipment unit and including links to functions of said one equipment unit.

The reference Humpleman teaches the method. (Fig. 10, Fig. 11, col. 13, lines 15-67 and col. 14, lines 1-25).

**Referring to claim 16,**

A method according to claim 12, including, at the time of a first connection of one of said primary equipment units to said manager equipment units to said manager equipment unit, dynamic address allocation to said one primary equipment unit by said manger equipment unit and transmission of the address by said manager equipment unit to said primary equipment units with said home page.

The reference Humpleman teaches the method. (col.10, lines 60-67, col.11, lines 1-59).

**Referring to claim 17,**

Art Unit: 2154

A method according to claim 12, wherein said step of composing a home page is performed at least partly outside said manager equipment unit in secondary means connected to said manager equipment unit via a telephone network or local network.

The reference Humpleman teaches the method. (Fig. 14, col. 21, lines 1-63).

**Referring to claim 18,**

A method according to claim 12, wherein said step of composing a home page comprises distributing equipment unit presentations into daughter pages and forming a mother page with hyperlinks to the daughter pages.

The reference Humpleman teaches the method. (col. 13, lines 15-67, col.14, lines 1-25).

**Referring to claim 19,**

A method according to claim 12, wherein said step of composing includes composing home pages by the manager equipment unit, loading said composed home pages into primary equipment units, each of said home pages including the presentation of the respective primary equipment unit and presentations of applications in said manager equipment unit dedicated to the respective primary equipment unit.

The reference Humpleman teaches the method. (col.11, lines 22-59).

**Referring to claim 20,**

A method according to claim 12, wherein said step of composing includes composing a home page only with the presentations of said other primary equipment units already linked and the presentation of said given primary equipment unit, and downloading the homepage from said manager equipment unit into all said primary equipment units as the home page for all said primary equipment units.

Art Unit: 2154

The reference Humpleman teaches the method. (col. 6, lines 61-67 and col. 7, lines 1-25, col.11, lines 22-59, col. 10, lines 51-58, col. 19, lines 3-9).

**Referring to claim 21,**

A method according to claim 12, wherein said manager equipment unit and said primary equipment units are interconnected via one of the following wireless transmission system and a carrier current transmission system, and are respectively a terminal adapted to be connected to a telephone network and electronic devices.

The reference Humpleman teaches the method. (col. 1, lines 21-36 and 45-50, col. 5, lines 50-61, and Fig. 1 and Fig. 14).

**Referring to claim 22,**

A method according to claim 12, wherein said manager equipment unit and said primary equipment units are interconnected via one of a wireless transmission system and a carrier current transmission system, and are respectively a microcomputer and terminals, the terminals being connected to a telephone network.

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The reference Humpleman teaches the method. (col. 1, lines 21-36 and 45-50, col. 5, lines 50-61, and Fig. 1 and Fig. 14).

**Referring to claim 23,**

A method according to claim 12, wherein said manager equipment unit and said primary equipment units are the central processor unit of a microcomputer and electronic cards connected to a bus of said central processor unit.

The reference Humpleman teaches the method. (Abstract, col. 1, lines 21-36 and 45-50, Fig.1, col. 6, lines 11-23).

**Referring to claim 24,**

The reference teaches, in combination: plural primary equipment units arranged to be functionally linked and a manager equipment unit for communicating with all the primary equipment units, the primary equipment units or the manager equipment unit having a memory for storing presentations of the equipment units, the presentation of each equipment unit including at least one link to a function of the equipment unit (Fig. 5A, "In such an embodiment, it could be considered that the physical device fetches a GUI from itself. However, in other embodiments the home network interconnects separate physical devices, wherein for example, a first device fetches a GUI from a second device, to permit user interaction with the GUI to control the second device.", col.5, lines 18-23, col.13, lines 52-60), said manager equipment unit being arranged for recovering or selecting the presentation of a given primary equipment unit ((Fig.5A and Fig.12A, The reference teaches "A client-server relationship exists among the attached devices, with the DTV 102 typically behaving as the client and home devices DVCR 110, DVD 108, DSS-NIU 104 and security system 120 behaving as servers.", col.6, lines 57-60), said manager equipment unit being arranged for (a) linking said given primary equipment unit to said manager equipment unit and said already linked other primary equipment units by composing a home page at said manager equipment unit, and (b) composing the home page by using at least (a) the presentation of said manager equipment unit, (b) the presentations of the other primary equipment units already linked, and (c) the presentation of said given primary equipment unit composing the home page at said manager equipment unit. ((Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13,

col. 13, lines 15-67 and col.14, lines 1-25, col.8, lines 28-42, The reference clearly depicts the claimed elements.)

**Referring to claim 25,**

The reference teaches the combination of claim 24, wherein the manager equipment and the primary units are arranged for causing downloading of the home page from said manager equipment unit into any of said primary equipment units to form a home page for all the equipment units in order that any of said primary equipment units can carry out the functions of the other equipment units. (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13,, "In such an embodiment, it could be considered that the physical device fetches a GUI from itself. However, in other embodiments the home network interconnects separate physical devices, wherein for example, a first device fetches a GUI from a second device, to permit user interaction with the GUI to control the second device.", col.5, lines 18-23, col.13, lines 52-60, col.14, lines 27-36)

**Referring to claim 26,**

~~The reference teaches the combination of claim 24, wherein each of the equipment~~  
units includes a display for (a) displaying each presentation in several display modes, and (b) displaying said home page in each equipment unit in at least one of the display modes used in said each equipment unit. (col.13, lines 23-67, col. 14, lines 1-12, Figs. 6 and 7, Fig.8, Fig. 10).

**Referring to claim 27,**

The reference teaches the combination of claim 24, wherein each of the equipment units is arranged for causing the presentation of one of said equipment units in said

Art Unit: 2154

home page to include a departure anchor of a hyperlink toward a page of functions read in said one equipment unit and including links to functions of said one equipment unit. (Fig. 10, Fig. 11, col. 13, lines 15-67 and col. 14, lines 1-25).

**Referring to claim 28,**

The reference teaches the combination of claim 24, wherein said manager equipment unit and said primary equipment units are arranged to be interconnected via a wireless transmission system or a carrier current transmission system, and are respectively a terminal adapted to be connected to a telephone network and electronic devices. (col. 1, lines 21-36 and 45-50, col. 5, lines 50-61, and Fig. 1 and Fig. 14).

**Referring to claim 29,**

The reference teaches the combination of claim 24, wherein said manager equipment unit and said primary equipment units are arranged to be respectively interconnected via a wireless transmission system or a carrier current transmission system, and are respectively a microcomputer and terminals, the terminals being connected to a telephone network. (col. 1, lines 21-36 and 45-50, col. 5, lines 50-61, and Fig. 1 and Fig. 14).

**Referring to claim 30,**

The reference teaches the combination of claim 24, wherein said manager equipment unit and said primary equipment units are respectively the central processor unit of a microcomputer and electronic cards connected to a bus of said central processor unit. (Abstract, col. 1, lines 21-36 and 45-50, Fig. 1, col. 6, lines 11-23).

**Referring to claims 31 and 32,**

The reference teaches a method according to claim 12, wherein the manager equipment unit includes a browser that performs the recovering or selecting step, and the combination of claim 24, wherein the manager equipment unit includes a browser for recovering or selecting the presentation of the given primary equipment unit. (col.6, lines 66 thru col.7, lines 1-3,"The browser based DTV 102 (acting as a client), receives and interprets the HTML files associated with the home devices (acting as servers) and graphically displays the respective control and command information on its viewable display.")

**Referring to claims 33 and 34,**

The reference teaches a method according to claim 12, further including downloading the home page to any of the primary equipment units which are able to carry out the control functions of the other equipment units and as a result of the manager equipment unit composing the home page with at least the already-linked primary equipment units, and the combination of claim 24, wherein the manager equipment unit is arranged for composing the home page with at least the already-linked primary equipment units and to download the home page to any of the primary equipment units which are able to carry out the control functions of the other equipment units. (Figs.5A, 6, 7, 8, 10, 11, 12A, 12B and 13, col. 13, lines 15-67 and col.14, lines 1-25)

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Application/Control Number: 09/719,370  
Art Unit: 2154

Page 16

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